

840 CMR 10.00: STANDARD RULES FOR DISABILITY RETIREMENT

10.07: Information to be Obtained From Member's Department Head or Employer

Except as provided in 840 CMR 10.09, upon receipt of an application by a member for ordinary or accidental disability retirement, the retirement board shall request the statements required by 840 CMR 10.07 from the member's department head or employer. If the department head does not supervise the member, the department head's statement required by 840 CMR 10.07(1) shall be prepared by the member's direct supervisor and shall be counter-signed by the department head. The department head's statement shall be filed with the retirement board within 15 days of the date that the department head receives it.

(1) Department Head's or Employer's Statement. The retirement board shall request a statement from the member's department head or employer.

- (a) Providing a job description for the member's job and describing the member's duties and responsibilities;
- (b) Specifically identifying the essential duties of the position;
- (c) Describing any particular physical or mental requirements prescribed for the position;
- (d) Providing any medical records in the member's personnel file relating to the member's physical condition at the time of the member's employment or thereafter, which shall include any record of a pre-employment physical, any record relating to in-service physical examinations and all medical records relating to the disability claimed;
- (e) Providing any records of the member's education and training or of the member's qualifications;
- (f) Describing the specific duties the member cannot or may not be able to perform as a result of the disability or incapacity claimed;
- (g) Stating whether, in the department head's or employer's opinion the member may be able to perform the essential duties of the member's job.
- (h) If the application is for an accidental disability retirement, describing the event, accident or hazard undergone upon which the disability is being claimed, attaching copies of any and all injury or incident reports, and the statements of any witnesses to the injury or incident and providing any other information which may bear upon the cause of the member's claimed disability;
- (i) Stating whether the position is classified under civil service;
- (j) Stating whether the member's claimed disability is a result of any misconduct on the part of the member.